

Approved Minutes of the Technical Advisory Committee Meeting
February 13, 2007

Members present:	Roger Thompson	Rodney Pingree
	Craig Heindel	Kim Greenwood
	Gail Center	Jeff Williams
	Spencer Harris	Gerry Kittle
	Steve Revell	Phil Dechert
	John Forcier	

Others present:	Allison Lowry	Scott Stewart
	Frank O'Brien	Bruce Douglas
	Anne Whiteley	

Scheduled meetings:

March 20, 2007	1-4 PM	Appalachian Gap Room
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Review of agenda

Added a topic for update on rule revisions.

Review of minutes

The minutes of the January 16, 2007 were reviewed and accepted. Steve suggested removing items on the discussion list that have are no longer under consideration and to consider whether others could be deleted.

Anne reviewed the following legislative bills:

h.303 This bill includes a change in the definition of failed system and supply, a change that is supported by the Agency. Rodney asked about the deletion of the reference to inadequate quantity of water and Anne will explore adding something on this topic, maybe a determination made by the Agency and posting on the website. Craig and Spencer suggested that regulations should be less comprehensive on the inadequate water supply for individual single family homes where only the owner is affected. There was TAC consensus that some language about water quantity should be added to the proposed statutory language. Steve asked about the definition of structure and Anne mentioned the definition currently in the Rules. Steve asked if a surcharged septic tank, which is an indication of a problem, was a failure and Anne stated that it would not be under the proposed language. Gail mentioned that it would be good to indicate water tests with levels that are equal to or exceeding the specified standard are considered to be failed.

The exemptions are revised with most replaced by “clean slate.” The bedroom exemptions are removed. Primitive camps remain as an exemption. Enforcement language is revised to allow enforcement for a bad design, even if not constructed.

h.296 Definitions of failed supply is the same as h.303. Failed system includes language that a system is not failed unless it is inspected using specific process that includes a dye test in all cases. Anne said this was drafted as “place holder” language and would be revised. Sec 3, requiring the Secretary to do inspections and determine compliance is unacceptable to the Agency. Sec 5 tries to push back the date for jurisdiction, but as drafted would not cover all of the issues. This is not supported by the Agency at this time.

Spencer commented that it is not fair to landowners to not have rules in place prior to July 1, 2007, so that people can plan. There should be a period after adoption for people to plan for the changes.

Sec 6 proposes allowing new subdivisions that have sewage capacity for only one bedroom while the proposed rules require capacity for two bedrooms. The bill requires an update of the design flows. The bill is thought to propose that when a composting toilet is proposed the leachfield may be designed without room for expansion if a person wanted to convert to conventional toilets and calls for re-examination of the need for replacement areas. The proposed rules will reduce, but not eliminate, the replacement area requirement. The bill assigns the funding program to the Agency with a \$1,000,000 appropriation.

Craig reviewed his presentation to the House Fish, Wildlife, and Water Resources Committee about the TAC work. He noted that the committee was starting to understand that there is no “magic box” and that major changes in statute that would be needed in order to allow surfacing systems.

Designer licensing Anne reviewed the proposal for a Class C license for well drillers that would allow them to deal with replacement wells for existing single family residences on their own individual lot.

Water Supply Rules - Scott Stewart reviewed his work on updating the rules. He recently met with some well drillers to update the construction standards. He is proposing to organize the new rules around 3 categories: wells in bedrock, wells in unconsolidated materials, and springs and infiltration galleries. Each section will be self-contained with all of the information needed for that category in one place making it easy to update the rules one section at a time. The new rules will increase the attention to overflowing wells, but do not prohibit them.

Items prioritized for discussion with high, low, and medium ranking

- 1.. Encourage I/A **low**
2. Soil identification vs. perc test **medium**
3. Colorado rule **low**
4. Permit by certification **low**
5. Curtain drain with presumption of effectiveness **high**
6. Field change policy **high**
7. Revisions to desktop hydro chart **medium**
8. Minimum amount of sand under a mound **high**
9. Grandfathered design flow and conversion of use policy **high**
10. Updating of design flow chart **high**

Recommendations made:

1. Revisions to mound sand specification
2. Lake water systems

Topics list - items not ready for drafting for inclusion in rule revisions

1. Drip disposal
2. Changing the 20% slope restriction to 30%
3. Replacing perc test with soil identification approach
4. Defining when effluent is no longer wastewater
5. Disinfection
6. Colorado Rule – reduction in isolation distance to wells based on construction methods
7. Certification and audit approach to permitting
8. Field change policy
9. Revise existing desktop hydro chart
10. Conversion of use policy, including grandfathered flows

11. Revise design flows
12. Increased loading rate
13. Wells shields across property lines
14. Whether less than 12" of sand should be allowed under mound systems

Executive Committee

John Forcier, Steve Revell, Lance Phelps, Phil Dechert, and Roger Thompson
Alternates – Chris Thompson, Bernie Chenette, Spencer Harris, Jeff Williams

Subcommittees

Hydrogeology - Allison Lowry, Craig Heindel, Dave Cotton and Steve Revell.

Training subcommittee - John Forcier, Roger Thompson, Allison Lowry, Dave Cotton, and Barbara Willis.

Licensed designers - Spencer Harris, Alan Huizenga, and Gerry Kittle.

Well driller's knowledge checklist - Jeff Williams, Rodney Pingree, Roger Thompson, Bernie Chenette, Gail Center and Steve Revell.

Interested in the delegation rules - Spencer Harris, Gerry Kittle, Phil Dechert, and Alan Huizenga

Drip Disposal – Frank O'Brien, Roger Thompson, Dave Cotton, Steve Revell, Alan Huizenga

Surfacing systems – Craig Heindel, Steve Revell, Frank O'Brien, Roger Thompson, Bruce Douglas, Gail Center, and Brian Kooiker.